

STATE OF MISSISSIPPI

Monty S. Shackelford and Missy C. Shackelford

COUNTY OF DESOTO

UPN 0896266749

2/22/05 4:51:36
BK 493 PG 12
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

SUBSTITUTED TRUSTEES DEED

WHEREAS, on December 31, 2003, Monty S. Shackelford and Missy C. Shackelford, husband and wife, executed a Deed of Trust to Emmett James House or Bill R. McLaughlin, Trustee for the benefit of Union Planters Bank, NA, which Deed of Trust is filed for record in Book 1901, Page 54 in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, Union Planters Bank, N.A. appointed and substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated December 29, 2004, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 2,140 at Page 15 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by Union Planters Bank, N.A. to foreclose under the terms of said Deed of Trust, I did on February 17, 2005, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the East Front door of the County Courthouse of DeSoto County, Hernando, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

Lot 122, Section D, Crumpler Place Subdivision, situated in Section 32, Township 1 South, Range 6 West, as shown on plat of record in Plat Book 48, Page 15 in the Chancery Clerk's Office of DeSoto County, Mississippi.

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in the DeSoto County Times, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on January 27, February 3 and 10, 2005, (a certified copy of which is attached hereto), and a notice identical to the published notice was posted on the bulletin board at the East Front door of the County Courthouse of DeSoto County, Hernando, Mississippi for

said period of four consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, Union Planters Bank, N.A. bid for said property in the amount of \$150,285.56, which being the highest and best bid, the same was then and there struck off to Union Planters Bank, N.A. and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto Union Planters Bank, N.A. the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on February 17, 2005.



J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on February 17, 2005, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.

My commission expires




Notary Public

GRANTOR'S ADDRESS:

J. Gary Massey, Substitute Trustee
Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
601-981-9299
S&M #04-1059

GRANTEE'S ADDRESS:

Union Planters Bank, N.A.
1900 Charles Bryan AX2
Cordova, TN 38016
901-580-2219

PREPARED BY:

J. Gary Massey, Substitute Trustee
Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
(601) 981-9299

INDEX: LOT 122, SECTION D, CRUMPLER PLACE SUBDIVISION, S32, T1S, R6W,
DESOTO CO., MS



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on December 31, 2003, Monty S. Shackelford and Missy C. Shackelford, husband and wife, executed a certain deed of trust to Emmett James House or Bill R. McLaughlin, Trustee for the benefit of Union Planters Bank, NA which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 1901 at Page 54; and

WHEREAS, Union Planters Bank, N.A. has heretofore substituted J. Gary Massey as Trustee by instrument dated December 29, 2004 and recorded in the aforesaid Chancery Clerk's Office in Book 2,140 at Page 15; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, Union Planters Bank, N.A., the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, I, J. Gary Massey, Substituted Trustee in said deed of trust, will on February 17, 2005 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East Front door of the County Courthouse of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

Lot 122, Section D, Crumpler Place Subdivision, situated in Section 32, Township 1 South, Range 6 West, as shown on plat of record in Plat Book 48, Page 15 in the Chancery Clerk's Office of DeSoto County, Mississippi.

I WILL CONVEY only such title as vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 24th day of January, 2005.

J. Gary Massey
SUBSTITUTED TRUSTEE
Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
(601) 981-9299

7101 Emily Lane Olive Branch, MS
04-1059/dm

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2005

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Volume No. 110 on the 3 day of Feb, 2005

Volume No. 110 on the 10 day of Feb, 2005

Volume No. _____ on the _____ day of _____, 2005

Volume No. _____ on the _____ day of _____, 2005

Diane Smith

Sworn to and subscribed before me, this 10 day of Feb, 2005

BY Judy A. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2009
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

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